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May 11, 2016

BY ECF

Honorable Paul G. Gardephe
United States District Court
Southern District of New York
40 Foley Square
New York, NY 10007

Re: Kenneth Creighton v. City of New York, et al., 1:12-cv-07454-PGG-DCF

Your Honor:

I am a Senior Counsel in the Office of Zachary W. Carter, Corporation Counsel of the City of New York, and the attorney representing defendants in the above-referenced matter. I am writing on behalf of defendants with respect to Magistrate Judge Freeman's May 10, 2016 Sealed Order concerning modification of the "Confidentiality Stipulation and Order regarding the Deposition of the Informant" in place in this case.

Magistrate Judge Freeman stayed her Order for 14 days to allow defendants to appeal. However, Magistrate Judge Freeman's Order raises a number of sensitive issues and ethical obligations which should be addressed on an expedited basis.

Accordingly, defendants respectfully request that the conference currently scheduled for May 19, 2016 at 10:00 a.m. be used as an opportunity for the parties to address the Order and its implications with Your Honor and hopefully come to a resolution without the need for further litigation on this issue. This particular conference was initially scheduled to be a pre-trial conference following the close of discovery however discovery has since been extended.

Thank for you for your consideration of this matter.

Respectfully submitted,

/s/ **Kavin Thadani**

Kavin Thadani
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cc: **BY ECF**
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